

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco

FLIGHT VEHICLES CONSULTING, INC.,
et al.,

No. C 12-01183 CW (LB)

Plaintiffs,

v.

**NOTICE OF REFERRAL AND
ORDER RE DISCOVERY
PROCEDURES**

UNITED STATES, et al.,

Defendants.

TO ALL PARTIES AND COUNSEL OF RECORD:

The district court has referred Flight Vehicles Consulting, Inc., Robert Manashi, and Nahrin Manashi's (collectively, "Plaintiffs") Amended Petition to Quash Summons, electronically filed on March 16, 2012, which is a discovery matter, to United States Magistrate Judge Laurel Beeler. Order of Reference, ECF No. 11; Amended Petition, ECF No. 4. The Amended Petition was not noticed for hearing.

Parties who require this court's assistance in resolving of a discovery dispute normally are directed to comply with procedures set forth in the undersigned's standing order (attached) and to submit a joint letter, rather than a formal discovery motion.¹ The normal process may not be the best one for this situation, though, given that Plaintiffs are proceeding *pro se* and that it is not entirely

¹ Those procedures require, among other things, that if a meet-and-confer by other means does not resolve the parties' dispute, lead counsel for the parties must meet and confer in person. If that procedure does not resolve the disagreement, the parties must file a joint letter brief instead of a formal motion. The letter brief must be filed under the Civil Events category of "Motions and Related Filings > Motions – General > Discovery Letter Brief."

1 clear whether Plaintiffs met all of the procedural and jurisdictional requirements for filing a formal
2 motion to quash summonses issued to third parties, *see* 26 U.S.C. § 7609.

3 Thus, the court adopts this modified procedure. It denies without prejudice Plaintiff's Amended
4 Petition and directs the parties to comply with the standing order. But if at the meet and confer
5 contemplated by the order, the parties believe that resolution of the dispute would be best
6 accomplished through the ordinary motions process, they may file a informal letter that generally
7 complies with the court's standing orders for discovery disputes but that also explains why a
8 motions process is preferable and proposes a briefing schedule. After reviewing the letter submitted,
9 the court will evaluate whether further proceedings are necessary, including any further briefing or
10 argument.

11 **IT IS SO ORDERED.**

12 Dated: April 19, 2012



LAUREL BEELER
United States Magistrate Judge